THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.25220 OF 2005

Dt.28.11.2005

Between:

Ravela Muthaiah … Petitioner

And

The Sub Registrar, Jangaon,

Warangal District. … Respondent

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Revenue.

The petitioner submits that he is the owner and possessor of the land admeasuring 605 sq.yards in Sy.No.89 of Jangaon Village and Mandal, Warangal District having purchased the same under registered sale deed No.396/2001 from its original owners R.Priyanandam and others and out of the same the petitioner entered into an agreement of sale to an extent of 133.33 sq.yards with one N.Sunitha. Accordingly, when the sale deeds were presented in the office of the respondent on 5.11.2005 by paying the stamp duty and by complying with all the formalities required under the Registration Act, the respondent refused to receive the same informing the petitioner vide proceedings No.286/2005 dated 5.11.2005 that the District Collector, Warangal has instructed him not to register any

properties belonging to Christian minorities and educational institutions without No Objection Certificate from the District Collector. No where it is stated that the said property is belonging to Christian minorities or educational institutions. However, without their being any notification issued by the Government under Section 22-A of the Registration Act, 1908 prohibiting registration or sale of the said property is against the public interest, the respondent cannot refuse to register the same.

It is brought to my notice that in respect of adjacent lands, the Christian Welfare Society, Baptist Chuch, Jangaon Field filed W.P.No.15000 of 2004 which was disposed of on 19.4.2005 with a direction to the Sub Registrar, Jangoan to receive the deeds presented for registration if they are according to the provisions of Stamp Act and if the lands covered by the said deeds are not notified under Section 22-A of the Registration Act, 1908, the respondent shall register the documents if all other provisions of the Stamp act and Registration Act are complied with.

Following the same, this writ petition is disposed of with a direction to the respondent to receive the sale deeds presented by the petitioner if they are in accordance with the provisions of Stamp Act and Registration Act and if the lands covered by the sale deeds are not notified under Section 22-A of the said Act.

The writ petition is accordingly disposed of. No costs.

(V.ESWARAIAH, J.)

28.11.2005

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